



10032559.070502

MR/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Wesley H. VERKAART

Serial No. 10/032,559

Filed: January 2, 2002

For: HEATER FOR
PHYSIOLOGICAL FLUIDS

CUSTOMER NO. 021395

Art Unit: 3763

Examiner:

New Atty Docket: 0107/0023

RESPONSE TO THE NOTICE TO FILE MISSING PARTS OF APPLICATIONAssistant Commissioner for Patents
Washington, D.C. 20231


Sir:

In response to the Notice of File Missing Parts dated April 9, 2002, being submitted herewith are:

1. The specification of the reissue in double-column format. The claims of the reissue specification includes amendments that were made in the parent applications of the instant application.
2. A Supplemental Declaration from the inventor
3. An Assent by the Assignee for filing the reissue application
4. A Statement for Establishing the Right of Assignee to take Action Pursuant to 37 CFR 3.73(b)
5. A Preliminary Amendment
6. A Check in the amount of \$ 130.00 for paying the surcharge for filing the Assent of the Assignee and the Statement under 37 CFR 3.73(b) is attached herewith

7. A Petition for a One Month Extension of Time

Respectfully submitted,



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Date: 7/5/02



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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY OF COMMERCE
OFFICE OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/032,559 | 01/02/2002 | Wesley H. Verkaart | 70195-0032 |

Conrad J Clark

Clark & Brody

1750 K Street NW

Suite 600

Washington, DC 20006

Date Mailed: 04/09/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

Correction of the following is required to complete the reissue application:

☒ The reissue specification has not been provided in double-column format as is required by 37 CFR 1.173(a)(1). A **surcharge is not required when supplying this item.**

☒ Consent of the assignee is missing. 37 CFR 1.172 requires that the reissue oath/declaration be accompanied by the written consent of all assignees. Until this item is supplied, the oath/declaration remains defective; thus, **payment of the surcharge (\$130 for large entity; \$65 for small entity) under 37 CFR 1.53(f) and 37 CFR 1.16(e) is required in addition to the supplying of this item. See MPEP § 1410.01.**

Consent of the assignee is present, but is unsigned. A statement of consent bearing the signature of an official authorized to act on behalf of the assignee(s) must be provided, to comply with 37 CFR 1.172. Until this item is supplied, the oath/declaration remains defective; thus, **payment of the surcharge (\$130 for large entity; \$65 for small entity) under 37 CFR 1.53(f) and 37 CFR 1.16(e) is required in addition to the supplying of this item. See MPEP § 1410.01.**

☒ Assignee's statement under 37 CFR 3.73(b) establishing ownership of the patent is missing. 37 CFR 1.72 requires that all assignees consenting to the reissue establish their ownership interest in the patent by filing in the reissue application a statement in accordance with 37 CFR 3.73(b). See MPEP § 324. Until this item is supplied, the oath/declaration remains defective; thus, **payment of the surcharge (\$130 for large entity; \$65 for small entity) under 37 CFR 1.53(f) and 37 CFR 1.16(e) is required in addition to the supplying of this item. See MPEP § 1410.01.**

Assignee's statement under 37 CFR 3.73(b) is present, but is unsigned. A 37 CFR 3.73(b) statement bearing the signature of an official authorized to act on behalf of the assignee must be provided. Until this item is supplied, the oath/declaration remains defective; thus, **payment of the surcharge (\$130 for large entity; \$65 for small entity) under 37 CFR 1.53(f) and 37 CFR 1.16(e) is required in addition to the supplying of this item. See MPEP § 1410.01.**

A copy of this notice **MUST** be returned with the reply.

Office of Initial Patent Examination (703)308-1202

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